



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JHK:DCL:MMO

*610 Federal Plaza
Central Islip, New York 11722*

October 29, 2020

Honorable Joseph F. Bianco
United States Circuit Judge
Court of Appeals for the Second Circuit
Long Island Federal Courthouse
Central Islip, New York 11722

Re: United States v. Kenner and Constantine
No. CR-13-607 (S-2) (JFB)

Dear Judge Bianco:

The government respectfully submits this letter to request that the Court disregard and strike from the record the sur-reply filed by Danske Bank A/S, London Branch ("Danske") yesterday. Danske's filing, mere hours before the oral argument conducted by the Court, was not authorized by the Court's briefing schedule and is an improper attempt to assert new arguments for the first time. *See* Docket Entry 939.

Respectfully submitted,

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